

AN ORDINANCE 99713

CONSENTING TO THE ASSIGNMENT OF AN EXISTING LEGAL SERVICES CONTRACT FROM LLOYD, GOSSELINK, BLEVINS, ROCHELLE, BALDWIN & TOWNSEND, P.C. FOR ASSISTANCE WITH POST CONSTRUCTION CLAIMS RESULTING FROM THE HENRY B. GONZALEZ CONVENTION CENTER EXPANSION PROJECT TO THE LAW FIRM OF FORD, NASSEN & BALDWIN; AUTHORIZING PAYMENT IN THE ADDITIONAL AMOUNT OF \$77,647.81 FOR SERVICES PREVIOUSLY RENDERED IN CONNECTION WITH A CLAIM MADE BY CLARK/JT CONSTRUCTION ON BEHALF OF TODD-FORD AND LEWIS AND LAMBERT, AND RELATED MATTERS; APPROVING A BUDGET OF \$55,000.00 FOR ADDITIONAL LEGAL SERVICES NEEDED TO CLOSE-OUT THE PROJECT; AND PROVIDING FOR PAYMENT.

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WHEREAS, the City Council previously approved an ordinance authorizing a legal services contract with the law firm Lloyd, Gosselink, Blevins, Rochelle, Baldwin & Townsend, P.C. to assist with post construction claims resulting from the Henry B. Gonzalez Convention Center Expansion Project; and

WHEREAS, Mr. George Baldwin, who has served as the lead attorney on this assignment, has recently left the Lloyd, Gosselink firm and is now a partner with the law firm of Ford Nassen & Baldwin; and

WHEREAS, Mr. Baldwin specializes in construction contract analysis and litigation and has over twenty (20) years of experience in resolving disputes involving scheduling problems, acceleration, and delay claims; and

WHEREAS, there are currently outstanding invoices in the amount of \$77,647.81 for services previously rendered by Mr. Baldwin while with the Lloyd, Gosselink firm which invoices cover his services and consultant expenses associated with the recently settled Clark/JT Construction claim, submitted on behalf of Todd-Ford and Lewis & Lambert, and related matters; and

WHEREAS, in order to fund all legal services required to close-out the Project, staff is also seeking approval of an additional budget of \$55,000, based on Mr. Baldwin's estimate of legal fees and expenses associated with drafting and negotiating final documents needed to complete the Project; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. City Council hereby consents to the assignment of an existing legal services contract from Lloyd, Gosselink, Blevins, Rochelle, Baldwin & Townsend, P.C. for assistance with post construction claims resulting from the Henry B. Gonzalez Convention Center Expansion Project to the law firm of Ford, Nassen & Baldwin.

SECTION 2. The City Manager or her designee, including the City Attorney is hereby authorized to execute such documents as are approved by the City Attorney's Office as necessary to carry out the intent of this Ordinance.

SECTION 3. The budget and encumbrance in Fund 47-001020, Convention Center Expansion Project, shall be revised by reducing Index Code 471995, entitled "Geotechnical & Environmental Contract," by the amount of \$132,647.81.

SECTION 4. The amount of \$77,647.81 is appropriated in fund 47-001040, Convention Center Expansion Project, in Index Code 473967, entitled "Legal Fees," and is authorized to be encumbered and made payable to Lloyd, Gosselink, Blevins, Rochelle, Baldwin & Townsend, in connection with post construction claims pertaining to the Convention Center Expansion Project.

SECTION 5. The amount of \$55,000.00 is appropriated in Fund 47-001040, Convention Center Expansion Project, in index code 473967, entitled "Legal Fees," and is authorized to be encumbered and made payable to Ford Nassen & Baldwin, in connection with post construction claims pertaining to the Convention Center Expansion Project.

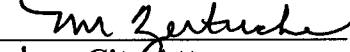
SECTION 6. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance.

SECTION 7. This Ordinance shall take effect immediately upon passage by eight (8) affirmative votes otherwise it will be effective on the tenth (10th) day after the passage hereof.

PASSED AND APPROVED this 16th day of September, 2004.


MAYOR
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney